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Dated: February 21, 2006

Signature: 

(Leah Kjellen)

Docket No.: 416272003700
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Marc K. HELLERSTEIN

Application No.: 10/664,513

Confirmation No.: 4651

Filed: September 16, 2003

Art Unit: 1655

For: BIOCHEMICAL METHODS FOR
MEASURING METABOLIC FITNESS OF
TISSUES OR WHOLE ORGANISMS

Examiner: R. J. Gitomer

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated October 20, 2005 (Paper No. 063005), for which a response was due on January 20, 2006. Filed herewith is a Petition and fee for a 1 month extension of time, thereby extending the deadline for response to February 20, 2006. February 20, 2006 is a Federal holiday within the District of Columbia, thereby extending the deadline for response, pursuant to 37 CFR § 1.7, to February 21, 2006. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.

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